

REMARKS

Interview request

Applicants respectfully request a telephonic interview after the Examiner has reviewed the instant RCE response and amendment. Applicants request the Examiner call Applicants' representative at 858 720 5133.

Status of the Claims

Pending claims

Claims 8 to 28, 30, 31, 33 to 41, 44, 46, 48 to 59, 64 and 66 to 78, are pending. Claims 15 to 18, 59, 69, 70, 77 and 78 are withdrawn from consideration. Thus, claims 8 to 14, 19 to 28, 30, 31, 33 to 41, 44, 46, 48 to 58, 64, 66 to 68, and 71 to 76, are pending and under consideration.

Allowable subject matter

Applicants thank the Examiner for noting that claims 12, 14, 20 to 22, 41, 44, 46, 48, 49, 54, 55, 58, 66 and 73 to 76, appear allowable over the prior art of record but are objected to for depending on rejected claims.

Outstanding Objections and Rejections

Claims 54, 55, 58, 66 and 73 to 76 are objected to. Claims 8 to 11, 13, 19, 23 to 28, 30, 31, 33 to 40, 50 to 53, 56, 57, 64, 67, 68, 71 and 72, remain rejected under 35 USC §103(a) as allegedly unpatentable over Cheng, et al., U.S. Patent No. 5,939,303, filed November 6, 1996, issued August 17, 1999 (hereinafter "Cheng"), in view of Greiner et al. (1993) Archives of Biochemistry and Biophysics 303:107-113 (hereinafter "Greiner"). Applicants respectfully traverse all outstanding objections to the specification and rejection of the claims.

Support for the claim amendments

The specification sets forth an extensive description of the invention in the new and amended claims. Accordingly, no new matter has been added by the instant amendments.

Objections to the Claims

The Office objected to claims 54, 55, 58, 66 and 73 to 76, as discussed in detail in paragraph 2, pages 2 to 3, of the OA, of the OA. The instant amendment addresses this issue.

Issues under 35 U.S.C. §103(a)Cheng in view of Greiner

Claims 8 to 11, 13, 19, 23 to 28, 30, 31, 33 to 40, 50 to 53, 56, 57, 64, 67, 68, 71 and 72, remain rejected under 35 USC §103(a) as allegedly unpatentable over Cheng, et al., U.S. Patent No. 5,939,303, filed November 6, 1996, issued August 17, 1999 (hereinafter “Cheng”), in view of Greiner et al. (1993) Archives of Biochemistry and Biophysics 303:107-113 (hereinafter “Greiner”), for reasons set forth in detail in paragraphs 3 to 6, pages 3 to 4, of the OA.

The instant amendment addresses this issue.

CONCLUSION

In view of the foregoing amendment and remarks, Applicants respectfully aver that the Examiner can properly withdraw the objections to the claims, and the rejection of the pending claims under 35 U.S.C. §103(a). In view of the above, claims in this application after entry of the instant amendment are believed to be in condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejections of the claims and to pass this application to issue.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 564462001811. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

As noted above, Applicants have requested a telephone conference with the undersigned representative to expedite prosecution of this application. After the Examiner has reviewed the instant response and amendment, please telephone the undersigned at 858 720 5133.

Dated: June 5, 2008

Respectfully submitted,

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